

DAC

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
14998-230

In Re: **Application Of: Aikawa, et. al.**

Application No. 09/635,109	Filing Date August 9, 2000	Examiner Mike Stahl	Customer No.	Group Art Unit 2874	Confirmation No.
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5071
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OFFICE OF PETITIONS

Title: **"OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"**

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

Transmitted herewith is:

TRANSMITTAL LETTER

DECLARATION OF DANIEL BASOV WITH NINE[9] APPENDICES/DECLARATION OF TAMMY PARUBCHENKO/TERMINAL DISCLAIMER=\$110.00/PETITION TO REVIVE PATENT APPLN. ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)=\$110.00/ FEE FOR NOTICE OF ALLOWANCE \$1,346.00/EXECUTED NOTICE OF ALLOWANCE AND FEE DUE/CONFIRMATORY POSTCARD

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **03-1240** as described below.
 - ☒ Charge the amount of **\$1,566.00**
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D. Basov

Signature

Daniel Basov, Reg. No. 42,303
CHADBOURNE & PARKE LLP
30 Rockefeller Plaza
New York, New York 10112
1-212-408-5275

Dated: **November 19, 2004**

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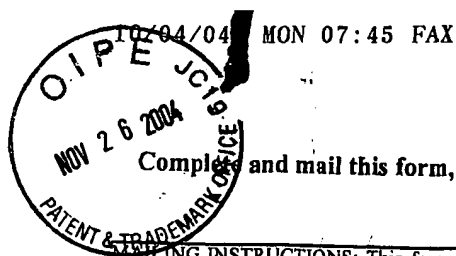
(Date)

Tammy Parubchenko
Signature of Person Mailing Correspondence

Tammy Parubchenko

Typed or Printed Name of Person Mailing Correspondence

cc:



PART B - FEE(S) TRANSMITTAL

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Complete and mail this form, together with applicable fee(s), to:

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Washington, D.C. 20231

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

01/29/2002

Chadbourne & Parke LLP
30 Rockefeller Plaza
New York, NY 10112

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Tammy Parubchenko	(Depositor's name)
<i>Tammy Parubchenko</i>	(Signature)
November 22, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,109	08/09/2000	Kazuhiko Aikawa	14998.230	5071

TITLE OF INVENTION: OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
13	nonprovisional	NO	\$1280	\$0	\$1280	04/29/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
STAHL, MICHAEL J	2874	385-123000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Chadbourne & Parke, LLP

2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

FUJIKURA LTD.

5-1, Kiba 1-Chome, Kohtoh-ku
Tokyo JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent)

☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 4

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Commissioner is herDeposit Account Number 03-1240by charge the required fee(s), or credit any overpayment, to
(enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

Daniel Basov- Reg. No. 42,303

D. Basov

November 19, 2004

11/29/2004 HGBREH2 00000002 031240 09635109

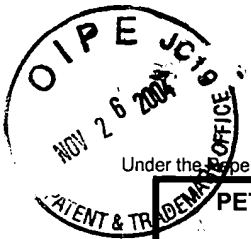
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)
14998-230

First Named Inventor: Aikawa, et. al.

Art Unit: 2874

Application Number: 09/635,109

Examiner: Mike Stahl

Filed: August 9, 2000

Title: "OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"

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OFFICE OF PETITIONS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703)305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(l)) Applicant claims small entity status..
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 110.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of

COMMUNICATION

(identify the type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$ 1,330

- ☐ has been paid previously on _____
☒ is enclosed herewith.

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

11/29/2004 HDEHES1 00000042 031240 09635109

130.00 DA

01 FC:1464

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☒ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ 110.00 for a small entity of \$ other than a small entity) disclaiming the required period of time enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

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November 19, 2004

Date

D. Basov

Signature

1-212-408-5275

Telephone Number:

Daniel Basov

Typed or printed name

42,303

Registration Number, if applicable

CHADBOURNE & PARKE LLP

Address

30 Rockefeller Plaza, NY, NY 10112

Address

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☒ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☒ Declarations with appendices

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

November 22, 2004

Date

Tammy K. Rubchenko

Signature

Tammy K. Rubchenko

Typed or printed name of person signing certificate

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
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NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

November 19, 2004

Date

D. Basov

Signature

42,303

Registration Number, if applicable

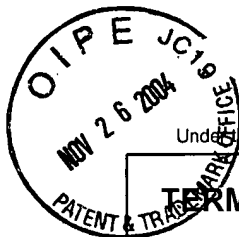
Daniel Basov

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

ATTACHMENTS WITH EXHIBITS

(Please attach additional sheets if additional space is necessary)



TERMINAL DISCLAIMER TO ACCOMPANY PETITION

Docket Number (Optional)

14998-230

In re Application of: Aikawa, et. al.

Name:

Application Number: 09/635,109

Filed: August 9, 2000

For: "OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"

The owner*, FUJIKURA, LTD. of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

- ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
- ☒ The undersigned is an attorney or agent of record.

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D. Basov

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November 19, 2004

Date

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Daniel Basov (Reg. No. 42,303)

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

TRANSMITTAL OF PAYMENT OF ISSUE FEE (Large Entity)
(37 C.F.R. 1.311)

Docket No.
14998-230

Applicant(s): Aikawa, et. al.

Application No.
09/635,109

Filing Date
August 9, 2000

Examiner
Mike Stahl

Customer No.

Group Art Unit
2874

Confirmation No.
5071

Invention: "OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"

Mail Stop Issue Fee
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P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith are the following for the above-identified application.

☐ Issue Fee Transmittal Form PTOL-85

☒ Utility Fee: \$ 1330.00

☐ Design Fee: _____

☐ Plant Fee: _____

☐ Publication Fee: _____

☐ A check in the amount of _____ is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.

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D. Basov

Signature

Dated: November 19, 2004

Daniel Basov, Reg. No. 42,303
CHADBOURNE & PARKE LLP
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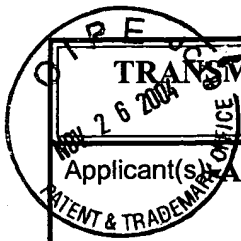
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(Date)

Signature of Person Mailing Correspondence

Tammy Parubchenko

Typed or Printed Name of Person Mailing Correspondence



TRANSMITTAL OF PAYMENT OF ISSUE FEE (Large Entity)
(37 C.F.R. 1.311)

Docket No.
14998-230

Applicant(s) Aikawa, et. al.

Application No. 09/635,109	Filing Date August 9, 2000	Examiner Mike Stahl	Customer No.	Group Art Unit 2874	Confirmation No. 5071
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Invention: "OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"

Mail Stop Issue Fee
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith are the following for the above-identified application.

- ☐ Issue Fee Transmittal Form PTOL-85
- ☒ Utility Fee: \$ 1330.00 ☐ Design Fee: ☐ Plant Fee:
- ☐ Publication Fee:
- ☒ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 03-1240 as described below.
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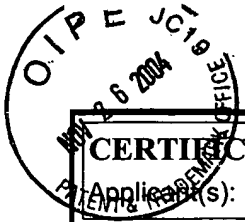
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(Date)

Signature of Person Mailing Correspondence

Tammy Parubchenko

Typed or Printed Name of Person Mailing Correspondence



CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): **Aikawa, et. al.**

Docket No.

14998-230

Application No.

09/635,109

Filing Date

August 9, 2000

Examiner

Mike Stahl

Customer No.

Group Art Unit

2874

Invention: **"OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"**

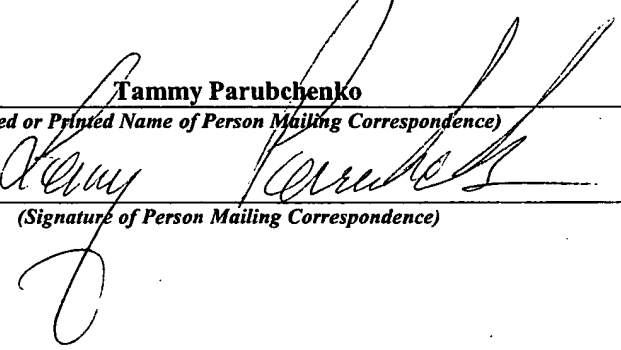
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November 22, 2004
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Tammy Parubchenko
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